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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/561,623	09/15/2006	Kei Tokui	64653 (70904)	9784
21874 7590 01/22/2008 EDWARDS ANGELL PALMER & DODGE LLP P.O. BOX 55874 BOSTON, MA 02205			EXAMINER KIANNI, KAVEH C	
			ART UNIT 2883	PAPER NUMBER
			MAIL DATE 01/22/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/561,623

Applicant(s)

TOKUI ET AL.

Examiner

Kianni C. Kaveh

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2883

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 31 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) 2,3 and 7-14 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 4-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

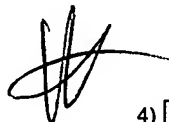
- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 5.

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.



## DETAILED ACTION

Applicant's election without traverse of claims 1 and 4-6 in a paper submitted on 10/31/07 is acknowledged. The requirement is still deemed proper and is therefore made FINAL.

### Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1 and 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over combination of Takeda et al. (US 2002/0031294) and Woodgate et al. (US 7058252). Regarding claims 1 and 4-6, Takada teaches a display device (see at least fig. 1-6 and 6-8 and 12) which includes an image display panel having a plurality of pixels (see at

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least fig. 1-2 and 4-6b and 0091, 0094 and 0105) and an illuminating unit for illuminating the liquid crystal panel using a light guiding plate (see fig. 8), wherein the illuminating unit comprises light path changing means for changing, by being brought into contact with or not in contact with the light guiding plate, a light path of propagating light inside the light guiding plate, so as to change intensity of light illuminating the liquid crystal panel (shown in least fig. 1-2 , 9 and 12; and see at least 0207); wherein the light path changing means, which is independently brought into contact with or not in contact with the light guiding plate is individually brought into contact with the light guiding plate (shown in least fig. 1-2 , 9 and 12); wherein the plural units of the light path changing means, which are disposed parallel to the scanning line for the liquid crystal panel are simultaneously brought into contact with or not in contact with the light guiding plate (this is functional language in which is not given patentable weight, nevertheless, see (shown in least fig. 9 ).

However, Takeda does not specifically state that the above image display panel includes a liquid crystal panel, and so as its pixels to be illuminated. Nevertheless, Takeda states that this display can be used in combination with other liquid based displays devices such as shown in fig. 8 (see 0207 and 0214). Thus, it would have been obvious to a person of ordinary skill in the art when the invention was made to modify Takada's image display with including the liquid crystal panel of Woodgate in order to produce a LCD display device that include the above limitations since such device would provide his allows the switching part to be supported on the driving

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means, and thus it becomes unnecessary for the light guide to have a structure on the side facing the optical switching part (see 0011).

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over combination of Takeda et al. and Woodgate et al. and further in view of Yonekudo (US 20030142905 and Gotoh (US 20020154256).

Regarding claim 6, as stated in rejection of claim 5 above, the combination of Takeda and Woodgate teach all limitations that the claim 6 depends on. However, the combination does not specifically state that wherein a light incident surface of the light guiding plate is substantially parallel to the scanning line for the liquid crystal panel. Though it may be argued that such limitation is inherent feature of Takeda and/or Woodgate, nevertheless, Yonekudo similar to Takeda teaches a display device in which more specifically it includes scanning electrodes in conjunction with light guide plate but not specific regarding scanning lines in which the scanning lines in conjunction with that scanning lines for the liquid crystal panel is more specifically stated by Gotoh (see at least 0236-0239). Thus, Yonekudo and Gotoh provide a liquid-crystal display of PDLC or a liquid-crystal display using a polarizer in combination with a liquid crystal in which luminance is improved and a lighting apparatus suitable for use with a liquid-crystal display (see 256' prag. 0009). Thus, it would have been obvious to a person of ordinary skill in the art when the invention was made to combine the teachings of the above prior art in order to produce a LCD display device that include the above limitations since such device would provide his allows the switching

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part to be supported on the driving means, and thus it becomes unnecessary for the light guide to have a structure on the side facing the optical switching part (see 0011).

***Citation of Relevant Prior Art***

Prior art made of record and not relied upon is considered pertinent to applicant's disclosure. In accordance with MPEP 707.05 the following references are pertinent in rejection of this application since they provide substantially the same information disclosure as this patent does. These references are:

US 20050265028 A1

US 20050007514 A1

US 6917391 B1

US 6104447 A

US 5828427 A

US 7110052 B1

US 5801793 A

US 20060038769 A1

US 20020031294 A1

US 6438282 B1

US 6381381 B1

US 20060077688 A1

US 20020154256 A1

US 20030142905 A1 Konekubo in comb. teaches at least claim 1

US 20020001431 A1

US 6591037 B2

US 6470115 B1

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US 20020063817 A1

US 7058252 B2

US 20060250550 A1

These references are cited herein to show the relevance of the apparatus/methods taught within these references as prior art.

***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kianni C. Kaveh whose telephone number is 571-272-2417. The examiner can normally be reached on 9:30-19:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank Font can be reached on 571-272-2415. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



K. Cyrus Kianni  
Primary Patent Examiner  
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K. CYRUS KIANNI  
PRIMARY PATENT EXAMINER

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January 14, 2008